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Amendment No. 1 to SB1667

**Ford J
Signature of Sponsor**

AMEND Senate Bill No. 1667

House Bill No. 1390*

by deleting SECTION 6 of the printed bill in its entirety and by substituting instead the following language:

SECTION 6. Tennessee Code Annotated, Section 71-3-502(j), is amended by deleting subdivisions (1) and (4) in their entireties and by substituting instead the following new subdivisions (1) and (4):

(1)

(A) On July 1, 2001, the department of human services, in consultation with the commission on children and youth shall establish and begin a phased implementation of a system for evaluating, individually and collectively, all child care agencies licensed by the department pursuant to title 71, chapter 3, part 5. The evaluation system shall include development of an annual report card and graduated licensing system. Prior to the full implementation of the system as required by paragraph (B), the report card and graduated licensing system shall constitute a phased implementation period for at least one (1) annual licensing period for each child care agency subject to licensure by the department. During the phased implementation period the department shall not require the posting of any report cards or the rating of any license, but may utilize any budgeted funds to implement the increased reimbursement rates to those agencies attaining the rating levels that are required for any tiered reimbursement rated based upon attainment of higher rating levels.

(B) On January 1, 2003, the phased implementation period shall end and all requirements for the report card and graduating licensing system pursuant to

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this part shall be fully implemented. The department shall thereafter require the posting of a summary for each child care agency of the key indicators used for performance comparison among all Tennessee child care agencies.

(C) Key indicators of performance for the report card, graduated licensing system and the summary shall include, but are not limited to:

(i) Health and safety;

(ii) Training, education, certification, and credentials of all supervisory staff, including the director of licensee;

(iii) Staffing ratios;

(iv) Child development and enrichment; and

(v) Adequacy of physical facilities.

(4) Any child care agency that knowingly provides false information or which fails to provide the information required by this subsection shall be subject to denial or revocation of its license by the department and may also be subject to a civil penalty of five hundred dollars (\$500.00) imposed by the department.

AND FURTHER AMEND by deleting SECTION 16 of the printed bill in its entirety and by substituting instead the following language:

SECTION 16. Tennessee Code Annotated, Section 71-3-509(b), is amended by deleting subdivision (1) in its entirety and by substituting instead the following language:

(1) If, during the licensing period, the department determines that a child care agency is not in compliance with the laws and regulations governing its operation, the department may place the agency on probation for a definite period of not less than thirty

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(30) days nor more than sixty (60) days, as determined by the department. Upon a determination by the department to place an agency on probation, the department shall serve written notice to the agency by personal delivery describing the violations of the licensing laws or rules that support the basis for the probationary status and the procedures for appeal of the probationary status. Ten (10) business days after the service of the probation notice on the agency, the department shall require the agency to post the notice of probation as directed by the department.